

Whither rights? Animal rights and the rise of new welfarism

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The notion of an animal rights *movement* is one which has the potential to mislead since those fighting for animals come from a variety of different ideological backgrounds and advocate many different ways to achieve many different aims. Gary Francione¹ argues that animal *rights* have become subsumed in what he terms 'new welfarism'. New welfarism is a hybrid approach which advocates more 'traditional' welfarist aims in the short term with the ultimate goal being one of animal rights and animal liberation in the long term. It is a sort of 'crisis management' whereby initial welfare problems are dealt with on a daily basis but the ultimate goal of liberating animals is never forgotten. Francione is critical of this 'soft option' and argues that to ever achieve anything the animal rights movement needs a return to its roots, ie. (direct) action towards the ultimate goal of total animal liberation and nothing else. This article takes issue with these sentiments and, based on three years of fieldwork within the animal rights community, argues that it may be the case that some of the larger animal rights charities have adopted this approach, but that the movement at the local activist level remains united in believing that direct action is the only method desirable or indeed effective in achieving its goal, which is one of complete animal liberation.

The generic term 'animal protectionism' is perhaps a more apt and a more relevant one to explain the vast numbers of people concerned with issues of animal abuse, cruelty and rights today since these people often come from diverse ideological backgrounds. One way to categorize these different backgrounds (should we wish to do so) is to argue that there are those involved in animal welfare and that

¹ G. Francione, *Animals, Property and the Law*, (Temple University Press, Philadelphia, 1995).

there are those involved in animal rights and that the two are fairly self-contained and are fairly distinct. The only problem with this is that there seems to be a third 'movement' growing out of a merger of these two, hitherto fairly discrete, positions. This hybrid position is what Gary Francione terms 'new welfarism'.²

Animal welfare has always, somewhat mistakenly, been characterized as a group of elderly, overly emotional women who are eccentrically too concerned with their pet cats. Sexist connotations aside, this stereotype is fundamentally misplaced. The animal welfare movement came into being on a large and mobilized scale for the first time during the nineteenth century in Britain. This movement was born out of the wider humanitarian movement popular at the time and yet, in many ways, became stronger and more enduring than its predecessors. The animal welfare movement of the nineteenth century was almost exclusively concerned with the issue of vivisection, although there were a small number of exceptions to this. Vivisection raised its head as an issue of public debate from about the mid-nineteenth century and stemmed from the fact that many scientists were only too happy to conduct live experiments on animals in public places as a way of displaying their newly gained knowledge and techniques. This in turn led to the institutionalization of the so-called 'scientific method,' ie. the idea that the most productive and efficient way to gain biological knowledge was from experiments conducted on live animals. It was this institutionalization that the nineteenth century anti-vivisectionists were fighting against.

A number of commentators³ have argued that this anti-vivisection campaign was based on a deeper anti-science sentiment, and certainly the main players in the anti-vivisection crusade didn't hide the fact that they were highly sceptical of science in general and of medicine in particular. Much of this came from the fact that many of those prominent in this movement were women who felt that

² *ibid.*

³ R.D. French, *Anti-Vivisection and Medical Science in Victorian Society*, (Princeton University Press, 1975); H. Ritvo, *The Animal Estate: The English and Other Creatures in the Victorian Age*, (Harvard University Press, Massachusetts, 1987) and J. Turner, *Reckoning With the Beast: Animals, Pain and Humanity in the Victorian Mind*, (Johns Hopkins University Press, Baltimore, 1980).

medical science (and the growth of gynaecology at this time) was taking huge liberties with both women's and animals' bodies.

Despite the fact that this anti-vivisection movement was one largely comprised of and led by women the sexist stereotype referred to above is a poor misconception of a movement and an issue which had the strength to 'divide a nation'.⁴ The anti-vivisection movement of the Victorian era is one which had many public and powerful advocates.

I give this brief foray into the history of animal welfare for three reasons. The first is to contest a misconceived stereotype; the second is because until the 1970s this was the most important, powerful, successful and popular movement pertaining to animals and their treatment and the third is because many see a logical progression from this early humane movement to the animal protection movements we have today.

The impetus of the nineteenth century anti-vivisection movement largely died with the beginning of the first world war and, although there were still a number of animal welfare charities running and a few new ones coming into being, none had the powerful hold over the public of this early anti-vivisection movement. There was a resurgence of interest in animal issues from the late 1960s and early 1970s but this was a different kind of interest involving a different kind of supporter.

The tone of these new animal protection movements was radically different to that of the early humane movement. Instead of advocating the welfare of animals under our care and for our use, this movement argued that it was not morally right for us to consider animals our inferiors and therefore it was not morally right for us to make use of them. This later movement came to be known as the animal rights movement because it was predicated on a belief in the natural rights of animals. With this change in ideology came a change in tactics. Compared to the animal welfare movement's campaigning methods the methods of this new breed of animal

⁴ P. Mason, *The Brown Dog Affair*, (Two Sevens Publishing, London, 1997).

rights activist were far more radical. The majority of animal rights campaigners believed in the need for direct action. The notion of direct action is a tricky one and, due to the inevitable exclusivity of media attention on the illegal forms of direct action, is often one which conjures up its own stereotype of a masked raider sending car-bombs to known vivisectionists and spraying paint over fur-coats. This is a huge misconception. The majority of direct action undertaken by animal rights activists is legal, taking the form of protests, marches and leaflet campaigns.

Garner⁵ argues that the issue of direct action is one which must be treated carefully since 'the association between these extreme methods and the radicalism of animal rights and liberation views has resulted in a simplistic dichotomy between, on the one hand, traditional animal welfare and constitutionalism and, on the other hand, the equation of animal rights/liberation with violence and illegality'. Not only is this a misconceived notion but most animal rights activity is peaceful and law abiding.

When the law is broken in the name of animal rights there are three ways in which this is done. Garner typifies these as: 'the classic form of non-violent civil disobedience involving sit-ins and vigils' – also included here are break-ins into laboratories which test on animals in order to gather information; 'those actions which set out deliberately to cause damage to property' such as the wrecking of laboratory equipment and the shooting of butcher's windows – to this second one I would add theft, ie. the theft involved when animal rights activists 'liberate' animals from laboratories; and 'the much more serious actions which involve threats to human life and safety', such as the firebombings of department store furriers in the 1980s and the letter bombing campaigns of the 1980s.

Although the new animal rights movement from the 1970s onwards was one which was radically different in philosophy and action from that of the 1870s, its collective belief in the need for direct action and direct action alone to secure the liberation of animals is one which

⁵ R. Garner, *Animals, Politics and Morality*, (Manchester University Press, Manchester, 1993), p. 215.

has not been sustained by all involved with the same amount of fervour into the 1990s.

The 'new welfarism' which Francione⁶ identifies is not actually that new. In 1959 two British scientists, Russell and Burch⁷, advocated a number of changes which could potentially replace the use of animals in laboratory experiments. In the meantime, however, they called for a number of changes which could either reduce the numbers of animals being used or refine their use resulting in less pain. Stephens argues that this 'Replacement, Reduction and Refinement constitute the three R's of the alternative approach to laboratory practices'.⁸ He goes on to point out that 'the ultimate goal of this approach is the complete replacement of laboratory animals with non-animal methods that are at least as scientifically sound (some would say unsound) as animal based methods'.⁹

The 'new welfarism' which Francione identifies¹⁰ is remarkably similar to the 'alternative approach' identified by Stephens.¹¹ Francione argues that the rights position is based on the notion that some animals at least have rights and 'that treating them solely as means to human ends violates those rights', whereas the 'welfare position maintains that animal interests may be ignored if the consequences for humans justify it'.¹² He argues that the two main problems which arise out of the welfare approach are firstly that it propagates the myth that animal welfarism actually works, which he believes to be false. He gives the example of a reduction in the number of animals used in research and argues that the recording of these numbers is highly suspect and even if this were not the case then it would be difficult to see animal welfare measures as the sole causal factor which accounts for the reduction in the number of

⁶ G. Francione, 'Animal Rights and Animal Welfare', 48 *Rutgers L. Review*, 397 (1996), <http://www.animal-law.org/library/araw/html>.

⁷ W. Russell, & R. Burch, *The Principles Of Humane Experimental Technique*, (Methuen, London, 1959).

⁸ M. Stephens, 'Replacing Animal Experiments', in *Animal Experimentation. The Consensus Changes*, ed. G Langley, (Macmillan, London, 1989).

⁹ *ibid.*, p. 144.

¹⁰ Francione, 'Animal Rights and Animal Welfare'.

¹¹ Stephens, 'Replacing Animal Experiments' p. 144.

¹² G. Francione, 'Animal Rights: An Incremental Approach' in *Animal Rights. The Changing Debate*, ed. R. Garner, (Macmillan, London, 1996).

animals used in research. The second problem he sees with the welfare approach is that it implies that animal rights is not a realistic alternative to animal welfare which he clearly believes to be false.¹³

He believes that there is a way to take an incremental approach to animal rights without resorting to a warfare position. This incremental approach involves 'the use of deontological norms that prohibit rather than regulate certain conduct, that recognise that animals have certain interests that are not subject to being sacrificed'.¹⁴ He further believes that 'each incremental measure erodes the status of animals as property'¹⁵ which is necessary if animal rights are ever going to be taken seriously and if animals are ever going to be afforded some protection by the law.¹⁶

Francione sincerely believes that the 'new welfare' position is a poor alternative to the rights position and, furthermore, he argues that a number of animal rights concerns have 'sold out' to this position. He explains:

It appears as though the new welfarists believe that some causal connection exists between cleaner cages today and empty cages tomorrow.... As a result the animal 'rights' movement, despite its rhetorical use of rights language and its long term goal of abolishing institutionalized animal exploitation, continues to pursue an ideological and practical agenda that is functionally indistinguishable from measures endorsed by those who accept the legitimacy of at least some forms of exploitation.¹⁷

¹³ *ibid.*, pp. 55-58.

¹⁴ *ibid.*, p. 53.

¹⁵ *ibid.* p. 57.

¹⁶ For a further discussion on the status of animals as property see G. Francione, 'Animals as Property', *Animal Law*, 2 (1996), <http://www.animal-law.org/library/anmlprop.htm> and Francione, *Animals, Property and the Law*.

¹⁷ Francione, 'Animal Rights and Animal Welfare', p. 2.

It is with these sentiments that I wish to take issue. Francione may be correct in arguing that 'some' of those involved in the animal rights movement have adopted this hybrid approach to animal protection, but those involved in the movement at a grass roots level still take the view that the only acceptable outcome of the struggle is liberation of animals from human oppression which is necessarily predicated on a belief in the rights of non-human animals. The two are inextricably linked in that action taken to liberate animals is based on the ideology of their rights.

As Garner notes:

The growth of mass activism is clearly linked to the belief, derived from an animal rights perspective, that since so much more is wrong with our treatment of animals than was previously thought, only permanent and sustained activism will help put things right. Likewise it is no accident that the use of - sometimes violent - direct action has corresponded with the development of a rights position.¹⁸

The field work on which this article is based spans three years and involved my regular participation in both animal welfare and animal rights networks. The animal welfare data was gained from working in two animal shelters over a period of 3 years and then following this up with interviews with the staff at the two shelters and with the managers of five other animal sanctuaries. I also regularly attended the meetings of one animal shelter which were held with the general public every month in order to inform interested parties, and financial contributors, about what was currently taking place at the sanctuary. The animal rights data comes from my participation in a local grass roots animal rights group over a period of three years and from a number of interviews conducted with the animal rights

¹⁸ R. Garner, 'The Road to Shoreham: Ideological and Political Aspects in the Evolution of the British Animal Rights Movement', unpublished paper given to Alternative Futures and Popular Protest Conference, Manchester Metropolitan University, March 1995, p. 12.

activists belonging to this group. I also subscribed to two larger animal rights groups, Animal Aid and British Union for the Abolition of Vivisection (BUAV), in order to receive their newsletters and information regarding their campaigns.

A small number of those involved in the animal shelters (ie. animal welfare) advocated an animal rights position and saw no contradiction in the fact that they were working in an environment which condoned, if not supported, the use of animals as pets. The rationale behind this was that they were working to better the welfare of specific animals and whilst, in an ideal world, they may not condone animals as pets, the current situation demanded that they do something about it. As one interviewee explained:

Its our fault in the first place, I mean we domesticated them and now we can't even take care of them. It should be our duty to do that at least seeing as though we did this to them in the first place. In an ideal world, no, there'd be no pets, but right now there are and about 300 of them are being destroyed on a weekly basis because we aren't dealing with what we've done so, no, there's no contradiction between what I'm doing now and my animal rights beliefs. I'm still fighting for animals' rights just in a different way. At least here I can be sure that this dog or this cat which can't survive on its own gets to live out the rest of its life in plush surroundings. It's the least we can do.

The majority of those involved in animal welfare were not involved in animal rights and didn't particularly feel the need to address these issues. For example it has been pointed out that one of the key elements in the adoption of an animal rights agenda is in taking a vegan/vegetarian diet¹⁹ and nearly all of those working in the animal shelters were meat-eaters. The only two exceptions to this

¹⁹ R. Garner, *Animals, Politics and Morality*, (Manchester University Press, Manchester, 1993) and H. Guither, *Animal Rights: History and Scope of a Radical Social Movement*, (Southern Illinois Press, Carbondale and Edwardsville, 1998).

were both moral vegetarians who supported animal rights philosophy and were involved in peripheral animal rights campaigning such as sponsored dog walks to raise money for charities such as NAVS (National Anti-Vivisection Society).

The rest of the workers involved in animal shelters advocated a welfare position based on the notion that it is our responsibility to care for animals properly, although they tended to be solely concerned with pet animals. This usually took the form of providing information about the care of pets and becoming involved in issues which directly affected the status of animals as pets such as anti-quarantine appeals. Most of the staff at the shelters took the line that animal rights might in theory be a good thing but for now it was fairly unobtainable and at least they were doing something worthwhile and productive in the meantime, actions for which they could clearly see an end result that improved the status of a number of animals, ie. seeing them placed in caring homes. Despite an overall agreement that the ideals of animal rights might be something worthwhile in the future, the majority of the sanctuary workers saw animal rights activists in terms of the media stereotype, ie. as violent law breakers single-mindedly intent upon the foolhardy liberation of all animals no matter what the effect on the environment or the population.

The people involved in the animal rights group however had radically different views. The composition of the group was as diverse as other studies have led us to believe. There was a small number of students which possibly flies in the face of folklore concerning animal rights activists. Indeed, one member of the group explained that it is difficult to attract younger people to the group and if they do come it is difficult to get them to come again. He put this down to the fact that the group was often very insular and did not particularly welcome newcomers. Being based in a city with a number of universities, attracting student interest should have been fairly easy and yet there were only one or two current students in the group. Most of the group were between 25 and 35 and had been students themselves at one time or another. There was a significant number of activists who fell outside this age bracket with the oldest being in her fifties. Similarly the activists came from radically

different backgrounds. There was a schoolteacher, a university lecturer, a number of women who worked at home with children, an accountant and a social worker. Those routinely involved in the day-to-day activities of the group tended to be unemployed which allowed them more time to commit to their actions on behalf of animals.

All of the group were involved in activism in some way although there was a central core of a smaller number (around ten to fifteen) who were involved in nearly all the campaigns being run and who tended to take responsibility for the organizing of the day-to-day activities needed to run a campaign such as allocating the van to various areas, ringing round other activists to arrange times and venues etc. It has been well documented that the Animal Liberation Front (ALF) in particular and the grass roots animal rights movement in general is a non-hierarchical 'organisation.'²⁰ Although, the term 'organisation' itself is misleading, considering that each local group sees itself as part of a larger movement but there is little formal contact with the rest of the 'movement' and certainly no centralized command structure. Different local groups were in contact with each other as many of the activists attended more than one group meeting. Similarly the different campaigns were fertile meeting grounds for those in different groups. There was also, on occasion, a call for all groups to attend a particular campaign when it was felt that more pressure would be productive, such as the call for a 'national hit' on a particular hunt meeting. These would occur for a variety of reasons such as one meeting which was infamous for its brutality to the point that the 'sabbing' of this particular hunt was considered too risky for the activists. In this case every year at the beginning of the season this hunt was made the target of a 'national hit' where all groups would send as many bodies as possible to make their presence felt. It was openly admitted that not much would be achieved at these hits for the animals in question. They were more a way of letting those involved in the hunt know that they hadn't been forgotten and that their violence was in vain.

²⁰ D. Henshaw, *Animal Warfare: The Story of the Animal Liberation Front*, (Fontana, London, 1989) and I. Newkirk, 1992, *Free the Animals! The Story of the American ALF and its Founder, Valerie*, (The Noble Press, Chicago, 1992).

The group meetings I attended certainly adhered to this egalitarian de-centralized principle. The chair of the group changed with each meeting and within meetings according to who knew the most about the topic up for discussion. Thus one person would lead the report on the recent hunt sabs that had occurred in the region and this would be someone who had been at all, or nearly all of them and someone else would lead the discussion about street collections and this would be someone who had been involved in the most recent street collections and so on. Anyone could contribute to any of the discussions and anyone could raise new topics for discussion, even newcomers.

Francione, in his argument that the fight for animal rights has adopted a 'new welfarist' approach, seems to be basing his argument on the larger national and international groups involved in animal rights campaigns such as the BUAV and People for the Ethical Treatment of Animals (PETA). He argues that even the so-called more 'radical' animal rights groups have recently distanced themselves from animal rights and quotes²¹ Ingrid Newkirk, director of PETA, as saying that the 'all or nothing' approach of animal rights is 'unrealistic'.

A further example of this line of argument comes from the President of the Humane Society of the United States who argued that animal rights threatens the 'kind of respectability that HSUS and a number of organizations have worked hard to achieve in order to distinguish the legitimate animal protection movement from the more radical elements'.²² Francione makes the point that not all advocates embrace a welfarist position and that there is a new breed of animal advocate who accepts and fights for reform in the short term but still sees rights as the ultimate goal: the new welfarist. Although Francione's examples drawn from the larger animal rights charities seem to support this argument he does not take into account the grass roots activist.

²¹ Francione, quoted in 'Animal Rights and Welfare', pp. 4-5.

²² Quoted in Francione, 'Animal Rights and Welfare', p. 6.

All of the grass roots activists I met with, interviewed and observed, without exception, advocated a 'rights' approach based on direct action. None of the people involved in grass roots animal rights felt the need to belong to any other larger (more mainstream?) animal rights charities. As one animal rights activist explained when asked if she was a member of any of the larger animal rights groups:

Not cos I'm not interested but I think I'm more useful here. The BUAV and the NAVS used to be really good, used to do a lot for grass roots stuff but when the raids started happening they stopped, to the point where they'd make damaging statements about grass roots in the press. They criticize us and don't use the opportunity to criticize vivisection or whatever it is. They don't have to condone it but they don't have to condemn it either. I think that's really damaging cos it's not helping animals to do that. It gives the press the idea that it *is* just a bunch of extremists rather than talking through the issues. That's why I can't be bothered with it. I think it's a shame to split it. I wouldn't condemn what they do either cos I don't think we should split it, we all want the same things. It's just a shame that they feel they have to condemn us.

Similarly the ALF advocates a strict animal rights approach as explained in the animal rights magazine Arkangel:

The Animal Liberation Front carries out direct action against animal abuse, rescuing animals and causing financial loss to animal abusers, usually through the damage and destruction of property. Their short term aim is to rescue as many animals as possible and directly disrupt the practice of animal abuse; their long term aim is to end all animal suffering by forcing animal abuse companies and individuals out of

business. It is a non-violent campaign, activists taking precautions not to harm any person or animal. Because ALF actions are against the law. Activists work anonymously, either in groups or individually, and do not have a central contact address or any centralized organization or co-ordination.²³

Although the ALF members, according to the statement above, have immediate and long term goals, their immediate goals could never be seen to fall into the category of welfarism, and neither could their philosophy be summed up by the hybrid approach of 'new welfarism'.

The ALF is not the only direct action animal rights group in Britain but it is certainly one of the more infamous if for nothing else than its unfavourable media treatment over the last 20 years or so. The ALF claim that anyone who carries out actions in line with ALF guidelines designed to further animal rights and who is a vegetarian or vegan can consider him/herself a member of the ALF. The ALF guidelines are:

- to liberate animals from places of abuse, ie. laboratories, factory farms, fur farms, etc., and place them in good homes where they may live out their natural lives, free from suffering
- to inflict economic damage on those who profit from the misery and exploitation of animals
- to reveal the horror and atrocities committed against animals behind locked doors, by performing non-violent, direct actions and liberations

²³ F. Wicklund, (website), 'Animal Rights in Britain', (1996), http://envirolink.org/arrs/ar_uk.html.

- to take all necessary precautions against harming any animal, human and non-human

This means, technically, that all the people involved in the animal rights meetings I attended could consider themselves members of the ALF if they so chose. I raise this issue not to cash in on the sensationalism surrounding the ALF but to offer an idea of the philosophy behind animal protection groups which frequently use direct action groups and to make the point that it could not be considered 'new welfarism'.

The activists I met all played a huge part in direct action in one way or another, from actively helping on hunt sabs and taking part in demonstrations whose sole purpose was to destroy property, to helping out at money raising and petition signing stalls. The ethos of direct action was so strong within the group that those who attended meetings and did not take part in any action were marginalised and always maintained the status of 'outsider.' One activist who was involved in the various campaigns on a daily basis explained that she felt guilty about not doing enough even though she was one of the most committed members of the group: 'I don't feel as though I'm doing enough because there's so much to do I suppose. Ideally I'd like to be everywhere and do everything but you can't.'

None of the activists I met could be considered 'new welfarists' since they not only believed in the philosophy of animal rights and believed in acting in line with these philosophies but because they also openly eschewed the notion of animal welfare:

Welfare stops short of what I want. It's asking for compromise and I don't like that. I don't want to say can that hen have a bigger cage, or can you stop eating meat but keep drinking milk. It seems like a betrayal to animals. A lot of the welfare stuff is about living a normal life as well, campaigning about cruelty but not making enough changes in your life to support that whereas rights demands a change in your

lifestyle. What you eat, drink, wear and even think all have to change.

In line with this notion that a commitment to animal rights involves a change in lifestyle comes the idea that supporting animal rights, unlike supporting animal welfare, is critical of much more than cruelty/wrongdoings to animals and that there is a series of interlocking oppressions which form the root cause of animal exploitation.

Biography

Nicola Taylor is currently a part time lecturer in the Department of Social Policy at Salford University, UK. She also lectures part time in the Department of Sociology at the Manchester Metropolitan University, UK, where she is in the final stages of her Ph.D. thesis. The thesis, entitled 'Animal Welfare as Moral and Social Decision Making' is concerned with human-animal interaction in three areas: animal rights activism; animal welfare work; and human-companion animal interaction.

